

REMARKS

Favorable reconsideration of the application, in light of the present amendment and in view of the following discussion, is respectfully requested.

Claims 2-6 and 8-17 are pending in the present application. Claims 1 and 7 are canceled without prejudice or disclaimer, and claims 2-6 and 8-11 are amended.

Initially, Applicant would like to express appreciation to the Examiner for the detailed Final Official Action provided. Applicant also notes that the Examiner has not indicated that the drawings have been approved by the Official Draftsperson on a Form PTO-948. The Examiner is thus requested to indicate that Applicant's drawings are acceptable in the next Official Action.

In the outstanding Office Action, claims 12-17 were allowed; claim 7 was rejected under 35 U.S.C. § 102(e) as unpatentable over NAKAO et al. (U.S. Patent No. 6,636,264); and claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as unpatentable over NAKAO et al. and SUETAKA et al. (U.S. Patent No. 5,032,930). Also, claims 3-5 and 8-10 were objected to as duplicating claims 12-17, but were indicated as reciting allowable subject matter.

Applicant acknowledges with appreciation the Examiner's indication of allowable subject matter in claims 3-5, 8-10, and 12-17, and for the removal of the objection to indicated allowable claims 3-5 and 8-10 as indicated in the Continuation Sheet of the

Advisory Action mailed January 27, 2005. In light of this indication of allowability, claims 3-5 and 8-10 are rewritten in independent form, incorporating all the features recited in indicated-allowable independent claims 1 and 7, as well as any intervening dependent claims, respectively; claims 1 and 7 are therefore canceled without prejudice or disclaimer; and claims 2, 6 and 11 are amended to depend on independent rewritten independent claims 4, 3 and 8, respectively. It is believed no new matter is added by the amendments to claims 2-6 and 8-11.

Accordingly, claims 2-6 and 8-17 are currently pending and are believed to be allowable, and it is respectfully requested this application pass to issue. Such action is respectfully requested and is now believed to be appropriate and proper.

**COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR  
ALLOWANCE**

In response to the Reasons for Allowance set forth in item 18 at page 8 of the outstanding Office Action, Applicant wishes to clarify the record with respect to the basis for the patentability of claims in the present invention.

In this regard, while Applicant does not disagree with the Examiner's indication that (as noted by the Examiner) "the prior art fails to teach or reasonably suggest stopping the recording operation by depressing the shutter button a plurality of times within a

predetermined period"; "the prior art fails to teach or reasonably suggest stopping the recording by stopping an exposure of the imaging device"; "the prior art fails to teach or reasonably suggest stopping the recording by stopping a reading operation of an image signal from the imaging device"; and "the prior art fails to teach or reasonably suggest that the recording operation is stopped by operating both the recording operation stop switch and the shutter button"; Applicant further wishes to make clear that the claims in the present application recite a combination of features, and that patentability of these claims is also based on the totality of the features recited therein, which define over the prior art.

### **SUMMARY AND CONCLUSION**

In view of the foregoing, it is submitted that the proposed amendment is proper for entry because it merely rewrites indicated allowable claims 3-5 and 8-10 in independent form, while amending claims 2, 6 and 11 to properly depend on rewritten independent claims.

Moreover, Applicant notes the amendments to dependent claims 2, 6 and 11 are made only to correct the dependency thereof, and have not been made to overcome any rejection based on prior art. Therefore, the amendments to dependent claims 2, 6 and 11 should be deemed as having been made for a purpose unrelated to patentability over applied art.

Accordingly, consideration of the present amendment, reconsideration of the outstanding Final Official Action, and allowance of the present amendment and all of the claims therein are respectfully requested and now believed to be appropriate.

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so.

Respectfully submitted,  
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